

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RICHARD SUMMERS
Plaintiff

VS.

**BAC HOME LOANS SERVICING, L.P.
F/K/A COUNTRYWIDE HOME LOANS
SERVICING AND DOE 1 THROUGH
DOE 5**

A-10-CA-290-29

CLERK'S DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY

ORDER GRANTING TEMPORARY RESTRAINING ORDER

Before the Court in the above-entitled and styled cause of action is Plaintiff Richard Summers' (hereinafter "Plaintiff") Application for Temporary Retraining Order (Clerk's Dkt. No. 3). Plaintiff has filed a verified petition for a temporary restraining order and, in connection therewith, has presented a request for a temporary restraining order, as set forth in its complaint. Additionally, a hearing was held on May 3, 2010 regarding the aforementioned Application for Temporary Restraining Order.

THE COURT HEREBY FINDS that, after a review of the pleadings and argument by counsel, that it clearly appears from the facts contained within Plaintiff's verified complaint that unless Defendants are immediately restrained from foreclosing on Plaintiff's residence located on 1101 Colby Lane, Cedar Park, Texas 78613, Plaintiff will suffer immediate and irreparable injury, loss, or damage that will result to the Plaintiff.

IT IS THEREFORE ORDERED that Defendants and each of their agents are hereby commanded forthwith to desist and refrain from foreclosing on 1101 Colby Lane, Cedar Park, Texas 78613 from the date of the entry of this order until and to the fourteenth day after entry or until

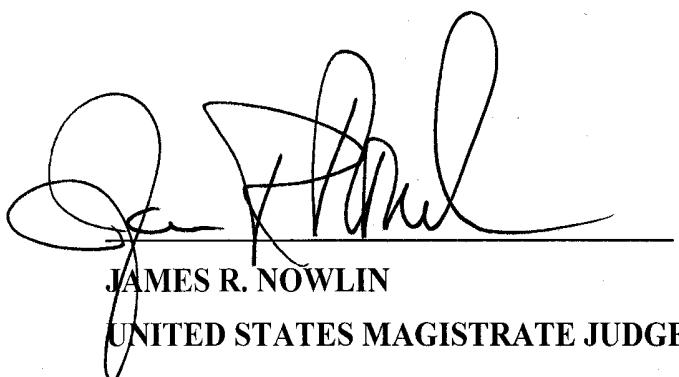
further ordered by this Court.

IT IS FURTHER ORDERED that a Preliminary Injunction Hearing is set on **Friday, May 14, 2010, at 10:00 a.m.** before the Honorable Lee Yeakel, United States District Judge Western District of Texas, Austin Division, in Courtroom No. 1, Second Floor of the United States Courthouse, 200 West 8th Street, Austin, Texas.

IT IS FURTHER ORDERED that the Clerk of the Court shall forthwith, on the filing by Plaintiff of the bond hereinafter required, and on approving the same according to the law, issue a temporary restraining order in conformity with the law and the terms of this order.

IT IS FURTHER ORDERED that this Order shall not be effective unless and until Plaintiff executes and files with the Clerk a bond, in conformity with the law, in the amount of one-hundred dollars (\$100.00).

Signed this 3RD day of May, 2010 at 2:30 P.m.



JAMES R. NOWLIN
UNITED STATES MAGISTRATE JUDGE